

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

SEP 19 2007

Case No. 5623
Date Filed 9/11/07
Hearing Date _____
Receipt _____
Fee \$450.00

Shaded Areas for Office Use Only

Type of Application

☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☒ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code _____

CASE 5623 MAP 41 TYPE Variance ELECTION DISTRICT 03

LOCATION 1220 Cheshire Lane, Bel Air 21014

BY Stella Calvert

Appealed because a variance pursuant to Sec. 267-36(B) Table V of the Harford County Code to permit a patio room to maintain a rear yard setback of 29' (40' required) in the R2 District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name Stella Calvert Phone Number (410) 803-8640
Address 1220 Cheshire Ln. Bel Air Md 21014-2563
Street Number Street City State Zip Code

Co-Applicant _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Contract Purchaser Dennis Wheeler Phone Number 410 780-0062

Address 7110 Golden Ring Rd Balto Md 21221
Street Number Street City State Zip Code

Attorney/Representative Gerard Andersen Phone Number 410 780-0062

Address 7110 Golden Ring Rd Balto Md 21221
Street Number Street City State Zip Code

Land Description

Address and Location of Property 1220 Chesire Ln
Bel Air Md 21014-2563

Subdivision Hampton Ridge Lot Number 232

Acreage/Lot Size 16,291 SF Election District 03 Zoning R-2

Tax Map No. 41 Grid No. 3C Parcel 582 Water/Sewer: Private _____ Public _____

List ALL structures on property and current use: _____

Estimated time required to present case: 15 min.

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No ☒

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes _____ No _____

Request

I would like To Build a Patio Room (12'x20') on the rear of
My house .

Therefore I am asking for a variance of 29' in Lieu of the
required 40ft rear Set Back

Justification

See attach sheet

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

Justification for 1220 Cheshire Lane

I would like to build a patio room (12'x20') on the rear of my home. The problem is we will not be able to maintain the required 40 ft. rear setback. My house sits on the corner of Cheshire Lane (which has a 35' front setback) and Henderson Road. (which has a 40' required setback). With these two set backs from the streets, the 10' minimal side setback, and the required 40' rear setback; totals to 11,630sqft. of property that we can not build on. Only leaving us with 4661 sqft. Of build able space, which 1656sqft is occupied by our home

Our House also sits on a unique angle being a 22° skew from being parallel with Cheshire Lane. This has be done to meet the 40ft side setback from Henderson Rd. This is the only practical location for the Patio room being there is an existing deck and door leading into our home.

The Existing deck is in need of repairs and which this room we will replace the deck with a non maintenance polydeck (12'x20') that will support the room. The patio room will have a single slope studio roof with shingles that will closely match those of our house. The patio room will have windows, a sliding door and a knee wall that will consist of white panels.

This room would let me enjoy my rear yard year round being it will give use protection from the weather and insects.

1" = 30'

#1215
Grimsby
CT.

Address: 1220 Cheshire Lane
Bel Air Md 21014

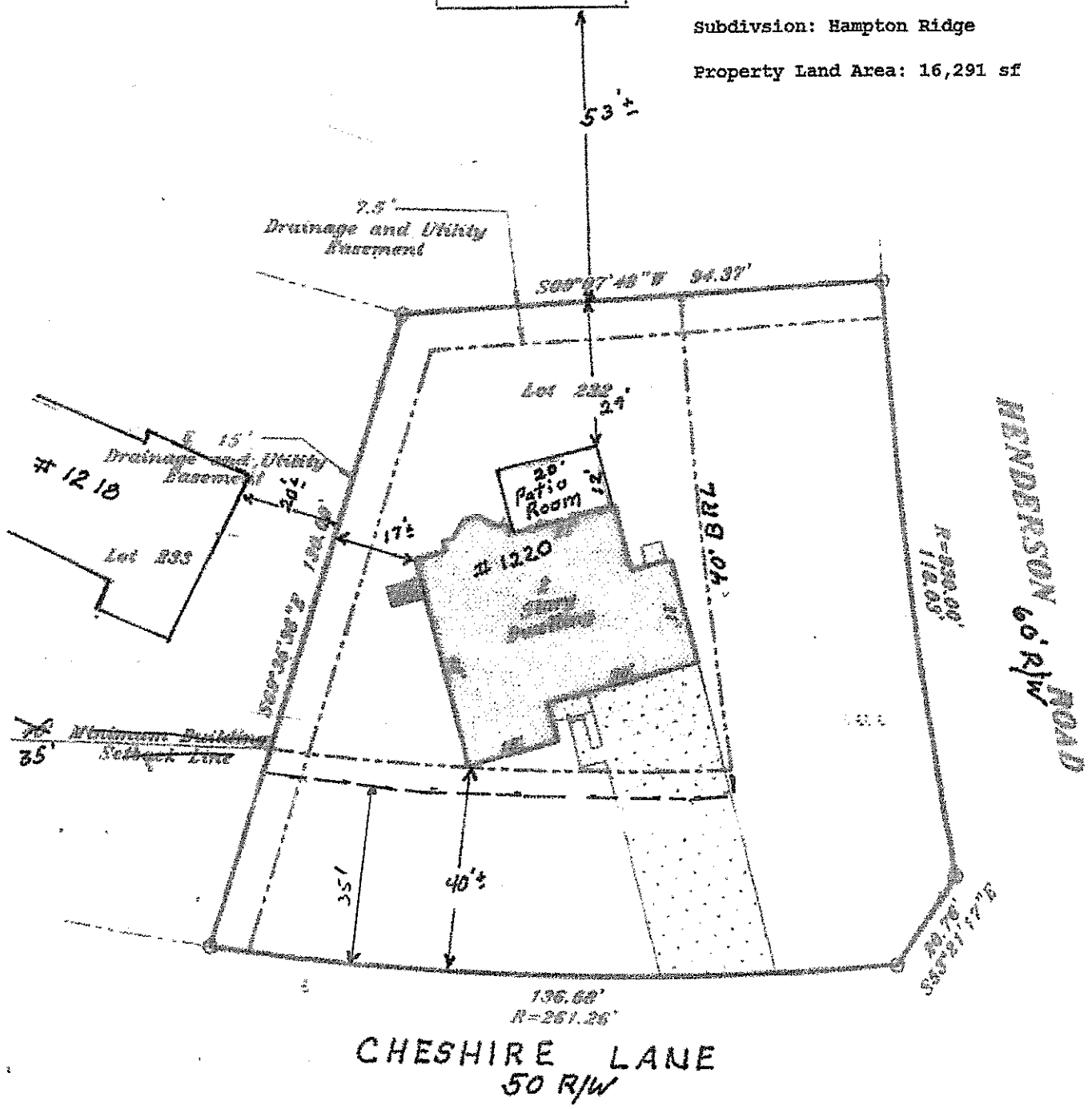
Owner: Stella Calvert

Map:41 Grid:3C Parcel:582

Section:2 Lot:232

Subdivision: Hampton Ridge

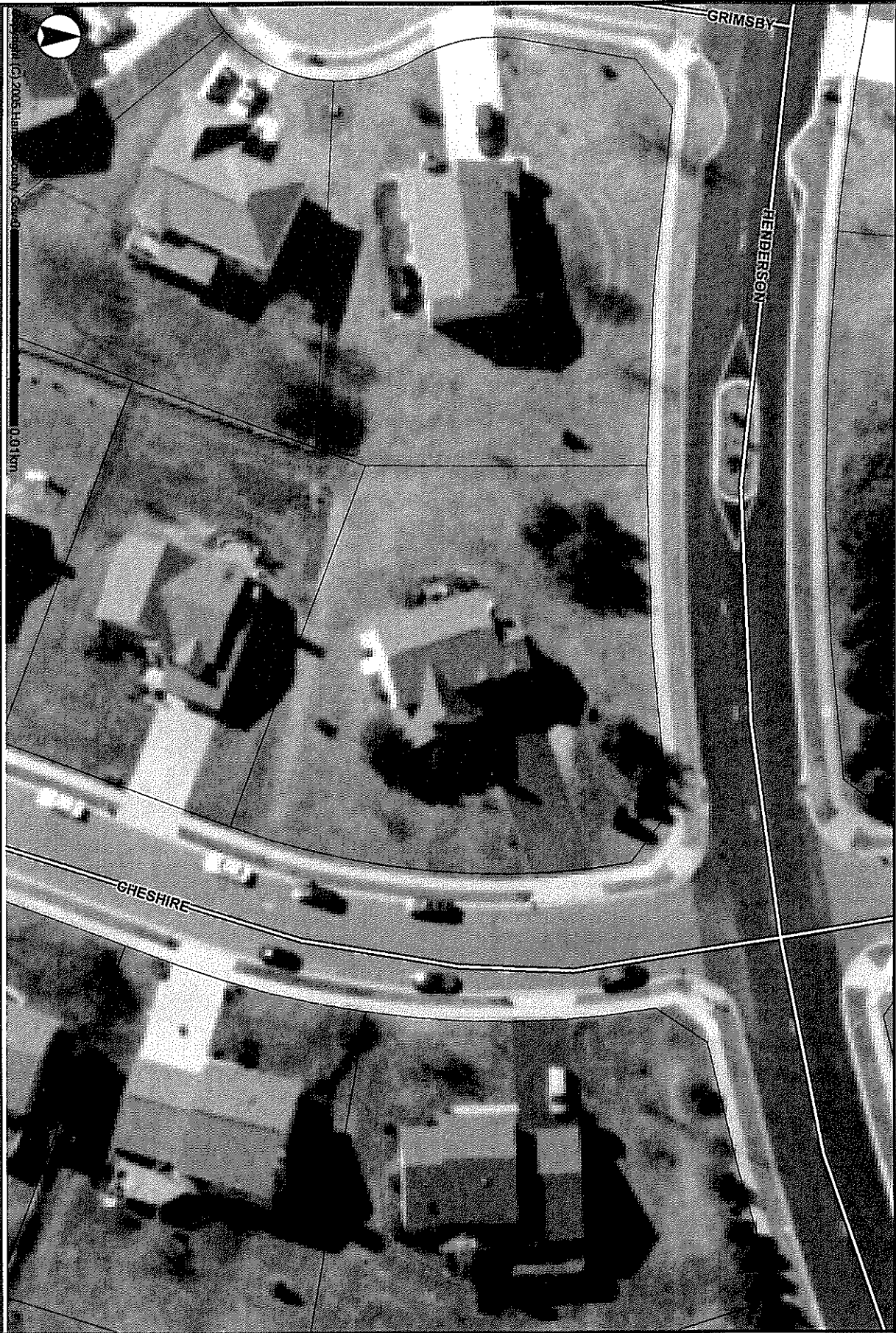
Property Land Area: 16,291 sf



CHESHIRE LANE
50 R/W

HENDERSON ROAD
60 R/W

1220 Cheshire Lane



☒ Over

☐ T3
☐ H3
☐ R4
☐ P4
☐ 2C

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

November 2, 2007

STAFF REPORT

BOARD OF APPEALS CASE NO. 5623

APPLICANT/OWNER: Stella Calvert
1220 Cheshire Lane, Bel Air Maryland 21014

CONTRACTOR: Dennis Wheeler
7110 Golden Ring Road, Baltimore Maryland 21221

REPRESENTATIVE: Gerard Andersen
7110 Golden Ring Road, Baltimore Maryland 21221

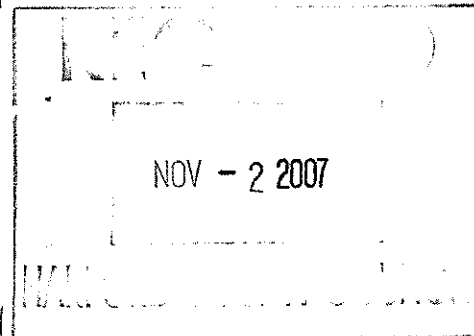
LOCATION: 1220 Cheshire Lane, Bel Air Maryland 21014
Tax Map: 41/ Grid: 3C / Parcel: 582 / Lot: 232
Election District: Three (3)

ACREAGE: 16,291 square feet

ZONING: R2/Urban Residential District

DATE FILED: September 9, 2007

HEARING DATE: December 5, 2007



APPLICANT'S REQUEST and JUSTIFICATION:

Request:

"I would like to build a patio room (12'x 20') on the rear of my house. Therefore I am asking for a variance of 29' in lieu of the required 40ft rear setback."

Preserving Harford's past; promoting Harford's future

STAFF REPORT

Board of Appeals Case Number 5623

Stella Calvert

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Justification:

See Attachment 1.

CODE REQUIREMENTS:

The Applicant is requesting a variance pursuant to Section 267-36(B), Table V of the Harford County Code to permit a patio room to maintain a rear yard setback of 29 feet (40 feet required) in the R2/Urban Residential District.

Enclosed with the report is a copy of Section 267-36(B), Table V of the Harford County Code (Attachment 2).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicants property is located west of MD 543 on the southwest corner of Henderson Road and Cheshire Lane. A location map, a copy of the record plat and a copy of the Applicant's site plan are enclosed with the report (Attachments 3, 4 and 5).

The subject property is located within the Development Envelope. The predominant land use designations in this area are Low, Medium and High Intensities. The Natural Features Map reflects Stream Systems. The subject property is located within the Low Intensity designation which is defined by the 2004 Master Plan as:

Low Intensity – Areas within the Development Envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices, and banks are example of some of the nonresidential uses associated with this designation.

Enclosed with the report are copies of the Greater Bel Air Community Area Map, the 2004 Land Use Map and the Natural Features Map (Attachments 6, 7 and 8).

Land Use – Existing:

The existing land uses generally conform to the overall intent of the Master Plan. The area contains residential developments including single family dwellings and townhouses. Other land uses include schools, churches, parks, active farmland and large areas of dense woodland. Commercial uses are located along Churchville Road (Route 22) to the south and Conowingo Road (US Route 1) to the north. The topography in this area ranges from rolling to steep especially near the stream valleys. Enclosed with the report are an aerial photograph and a copy of the topography map (Attachments 9 and 10).

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The Applicant's lot is part of the Hampton Ridge single family residential development. The lot is a corner lot with frontage on both Henderson Road and Cheshire Lane. Because of the design of the roads the lot is irregular in shape. The property is subject to two front yard setbacks, 40 foot along Henderson Road and 35 feet along Cheshire Lane. The double frontage and the irregular shape have greatly reduced the buildable area of the lot. Improvements consist of a brick and frame two story dwelling with an attached 2 car garage and driveway. Unlike most of the corner lots where the dwelling faces one of the two road frontages, the builder chose to angle the house to face the intersection of the two roads. The topography of the lot is gently sloping to rolling. The dwelling to the rear of the subject dwelling faces Henderson Road. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 11 and 12).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. The predominant residential zoning classifications are R1 and R2/Urban Residential Districts. The subject property is zoned R2/Urban Residential District as shown on the enclosed copy of the zoning map (Attachment 13).

SUMMARY:

The Applicant is requesting a variance pursuant to Section 267-36(B), Table V of the Harford County Code to permit a patio room to maintain a rear yard setback of 29 feet (40 feet required) in the R2/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Applicant has requested a variance to construct a patio or sunroom approximately 12 feet by 20 feet in size to the rear of their dwelling. The enclosure will have a sloped shingled roof to match the roof on the dwelling. The patio room will have windows, a sliding door and a knee wall that will consist of white panels (Attachments 14).

The Department finds that the subject property is unique based on its configuration and the angle that the house was placed on the property. Due to the two front yard setbacks and the location of the dwelling the proposed location is the only practical area for the addition. The sunroom will be similar to other structures in the area. The requested variance will not adversely impact the neighborhood or the intent of the code. There will still be approximately 80 feet between the proposed addition and the adjacent dwelling.

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Stella Calvert

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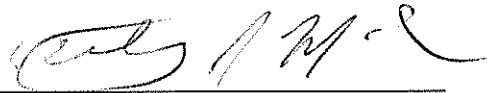
RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be approved subject to the Applicant obtaining all necessary permits.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review

DJS/ASM/jf



Anthony S. McClune, AICP
Deputy Director, Planning and Zoning